

July 20, 2004

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL

1. 5:30 P.M. CALL TO ORDER

Mayor Harrison called the meeting to order at 5:30 p.m.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

Alderman Browning led all in prayer and Pledge of Allegiance.

3. ROLL CALL AND CERTIFICATION OF QUORUM

Present to-wit: Mayor Philip B. Harrison, Aldermen Wayne Browning, Monte D. Richardso O. William "Bill" Schmidt, Michael S. "Mike" Mueller and Jerome Peters; thereby a quorum was established. Also present were City Attorney Charley Smith, City Administrator Lynn S. Roberts and City Secretary Susan Rosinski.

4. 4. CONSIDERATION/ACTION TO ADOPT AGENDA

A motion was made by Alderman Browning, seconded by Alderman Mueller to adopt the agenda as presented with the exception agenda items number seventeen and eleven follow agenda item number eight. Motion carried unanimously.

5. 5. CONSIDERATION/ACTION TO APPROVE MINUTES OF PREVIOUS MEETINGS

A motion was made by Alderman Browning, seconded by Alderman Richardson to adopt the minutes of the Regular Meeting of June 15, 2004 and Special Meeting of July 6, 2004 as presented. Motion carried unanimously.

6. 6. CITIZEN'S FORUM

No one wished to address Council.

7. 7. REPORT OR REQUEST(S) FROM MAYOR/COUNCIL/CITY ATTORNEY

Alderman Peters announced he would be attending an HGAC seminar this weekend.

Alderman Browning asked for an update on demolition. Adm. Roberts and Attorney Smith reported the condemnation process had begun on the Dotson home at the corner of S. Thomas and West Austin. Alderman Peters asked for a revised checklist on demolition.

8. 8. REPORT OR REQUEST(S)FROM ADMINISTRATOR/DEPARTMENT HEADS

Administrator Roberts reported on the following:

The budget process has begun and notes will be given to them within the next couple of weeks.

The Library is complete and 10% has been withheld pending approval of items. The measuring of the sidewalk for handrails has been completed.

Water Well #11 is ready and we are in the process of updating the waterlines from six inch to eight inch.

The signs for the square are ordered which state "No skateboarding, cycling or skating". The streetlights on Duerr Drive are consistently going out. Electric crews have tried every way possible to repair the underground electrical lines to the streetlights without damaging property and have not succeeded. We are currently in the process of gathering addresses and are planning on writing letters to the owners notifying them of the work that will begin soon.

Alderman Browning would like to see decorative lighting as seen on the town-square placed at the Library if possible.

9. 9. CONSIDERATION TO AWARD BID FOR SANITARY SEWER AND LIFT STATION RENOVATIONS AND ANY RELATED ACTION NECESSARY

The bids for sanitary sewer and lift station renovations were opened on Tuesday, July 14, 2004 with the following results.

|                           | Mercer Construction Co. | M-W-D          |
|---------------------------|-------------------------|----------------|
| Construction Co.          |                         |                |
| Total Base Bid            | \$1,036,881.00          | \$1,318,817.25 |
| Total Alternate Bid No. 1 | \$1,044,681.00          | \$1,342,157.25 |
| Total Alternate Bid No. 2 | \$1,076,481.00          | \$1,345,417.25 |
| Total Alternate Bid No. 3 | \$1,084,281.00          | \$1,368,757.25 |

Craig Kankel of O'Malley Engineers appeared before Council and recommended Alternate Bid No. 3 in the amount of \$1,084,281.00. After much discussion; a motion was made by Alderman Schmidt, seconded by Alderman Richardson to award the bid to Mercer Construction of Edna, Texas in the amount of \$1,036,881.00. Motion carried unanimously.

10. 10. CONSIDERATION TO AWARD BID FOR STREET RENOVATIONS AND ANY RELATED ACTION NECESSARY

The bids for street improvements were opened on Tuesday, July 14, 2004 with the following results.

|   |                |
|---|----------------|
| Cornerstone Paving, Inc.                  | \$1,184,369.68 |
| Angel Brothers Emt. Ltd. Baytown, TX      | \$1,447,726.50 |
| Diversified Impact Utilities, Cypress, TX | \$1,462,188.26 |
| Craig & Heidt, Inc., Houston, TX          | \$1,588,806.30 |
| Silva, Inc., Richmond, TX                 | \$1,810,393.30 |
| W.T Byler, Houston, TX                    | \$1,819,242.70 |

Craig Kankel of O'Malley Enginners appeared before Council and recommended awarding the bid to the lowest, responsive bidder, Cornerstone Paving of Brenham, TX in the amount of \$1,184,369.68.

A motion was made by Alderman Mueller, seconded by Alderman Peters to award the bid as recommended by Mr. Kankel to Cornerstone Paving of Brenham, Texas in the amount of \$1,184,369.68. Motion carried unanimously.

11. 11. PRESENTATION OF PLANS FOR NEW MEDICAL CLINIC AND ANY RELATED ACTION NECESSARY- MICHAEL MORRIS

Mr. Michael Morris, CEO of the Bellville General Hospital and David Sears, Architect presented drawings and plans of the new Bellville Medical Clinic.

12. 12. CONSIDERATION OF APPOINTMENT TO SENS CENTER BOARD AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Browning, seconded by Alderman Mueller to appoint Billy Armstrong to the Sens Activity Center Board with the term being July 20, 2004 – April 19, 2006. Motion carried unanimously.

13. 13. CONSIDERATION OF VARIOUS BUDGET AMENDMENTS AND ANY RELATED ACTION NECESSARY

A motion was made Alderman Browning, seconded by Alderman Mueller to approve the addition of \$6,000.00 in the current budget for the LCRA/City of Bellville/San Bernard sign that was approved in a previous budget and the transfers of the following line items. Motion carried unanimously. These transfers were necessary due to the adoption of the recent Capitalization Policy.

Transfer of \$11,810.00 from account number 101-020-5-931.00 Capital Outlay to account number 101-020-5-440.00 – Fire Department Tools and Work Equipment

Transfer of \$6,500.00 from account number 201-500-5-931.00 Utility Adm. Office Furniture & Equipment - Capital Outlay to account number 201-501-5-421.00 Utility Adm. – Office Supplies

Transfer of \$3,000.00 from account number 201-504-5-910.00 Vehicles and Operating Equipment – Capital Outlay to account number 001-504-5-322.00 – Vehicle Maintenance

14. CONSIDERATION TO APPROVE EXHIBIT “A” OF THE WHOLESALE POWER AGREEMENT WITH LCRA AND RELATED ACTION NECESSARY

A motion was made by Alderman Schmidt, seconded by Alderman Browning to approve Exhibit “A” of the LCRA Wholesale Power Agreement. Motion carried unanimously.

15. CONSIDERATION TO AMEND SUBDIVISION ORDINANCE AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Browning, seconded by Alderman Richardson to adopt Ordinance No. 1269 an Amendment to the Technical Summary – Residential Ordinance. Motion carried unanimously. Said amendment is to Section 5F(1) governing the paved radius of turnarounds.

16. CONSIDERATION TO APPROVE BELLVILLE ECONOMIC DEVELOPMENT CORPORATIONS APPROVED PROJECTS AND ANY RELATED ACTION NECESSARY

The Bellville Economic Development Corporation approved \$9,500.00 of the \$12,500.00 requested by the Bellville Chamber of Commerce for ten “Market Day on the Square” signs with

new logos, a copy machine, funds for advertising Small Town Christmas and July celebration and the re-printing of the Chamber of Commerce's brochure. A motion was made by Alderman Schmidt, seconded by Alderman Browning to accept the recommendation of the BEDCB and approve the payment of \$9,500.00 to the Bellville Chamber of Commerce. Motion carried unanimously.

17. DISCUSSION/ACTION OF PRELIMINARY APPROVAL ON VARIANCES PERTAINING TO THE SUBDIVISION ORDINANCE AND ANY OTHER RELATED ACTION NECESSARY – MARK MUSHRUSH AND DAVID REINIETS, JR.

David Reiniets and Mark Mushrush appeared before Council and asked for preliminary approval of variances to the proposed subdivision.

Alderman Peters pointed out the Subdivision Ordinance calls for a 35' curve in the cul-de-sac instead of the 25' as shown on the proposed subdivision plat. Mr. Reiniets indicated there would be no problem addressing this concern.

A motion was made by Alderman Mueller, seconded by Alderman Browning to approve the preliminary variances to the Mushrush subdivision with a 35' curve of the cul-de-sac. Motion carried unanimously.

It was also stated the City would help in obtaining easements for electrical utilities.

18. CONSIDERATION OF FOLLOW-UP OF BELLVILLE SWIMMING POOL REQUEST AND ANY RELATED ACTION NECESSARY

Attorney Smith informed Council he had prepared a possible contract between the City of Bellville and the Bellville Public Pool Inc. The preliminary contract included a five-year period in which the city would repair the pool and then the Bellville Public Pool, Inc would then manage the daily duties. The pool would be open to all citizens for a fee of \$5.00 per day per person. The pool would be open for at least six hours a day. Swimming lessons and lifeguard training would also be allowed at the pool.

Council requested a copy of the contract for further study and asked for this item to be placed on next month's agenda.

19. 19. CONSIDERATION OF RESOLUTION AUTHORIZING SUBMISSION OF A 2005/2006 TEXAS COMMUNITY DEVELOPMENT PROGRAM APPLICATION AND ANY RELATED ACTION NECESSARY

Steve Kerbow of Kerbow and Associates appeared before Council and informed them of the Texas Community Grant Program. Mr. Kerbow is currently submitting an application for the City to acquire grant funds to rehabilitate a portion of the wastewater collection system.

A motion was made by Alderman Browning, seconded by Alderman Richardson to accept the proposal from Kerbow and Associates to work with city staff in order to apply for a grant with Texas Community Development. Also included in the motion was to pass Resolution #1268R authorizing submission of the grant. Motion carried unanimously.

20. 20. OPEN SESSION RECESSED

Open Session recessed at 7:07 p.m. with a ten-minute break.

21. 21. EXECUTIVE SESSION CONVENED UNDER TEXAS GOVERNMENT CODE SECTION 551.074 TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL; OF A PUBLIC OFFICER OR EMPLOYEE AND ANY RELATED ACTION NECESSARY

- Executive Session convened at 7:15 p.m.

22. 22. EXECUTIVE SESSION ADJOURNED

- Executive Session adjourned at 7:35 p.m.

23. 23. OPEN SESSION RE-CONVENED

- Open Session re-convened at 7:36 p.m.

24. 24. CONSIDERATION OF THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL; OF A PUBLIC OFFICER OR EMPLOYEE AND ANY RELATED ACTION NECESSARY

- No action taken.

25. 25. ADJOURNMENT

- A motion was made by Alderman Schmidt, seconded by Alderman Browning to adjourn at 7:37 p.m. Motion carried unanimously.